

Bruce I. Afran
Attorney-at-Law
10 Braeburn Drive
Princeton, New Jersey 08540
609-924-2075

September 16, 2004

Jeff S. Jordan
Supervisory Attorney
Federal Election Commission
Complaints Examination & Legal Administration
999 E Street, NW
Washington, DC 20463

Re: MUR 5513

Dear Mr. Jordan:

As counsel for Nader for President 2004, I have enclosed a reply to Complaint MUR 5513 for your review. As indicated, no violations have occurred and the Commission should not take further action on this matter.

Very truly yours,

Bruce I. Afran
Bruce I. Afran *my*

Attachments

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

SEP 16 4 11 PM '04

25044121625

Bruce I. Afran
Attorney-at-Law
10 Braeburn Drive
Princeton, New Jersey 08540
609-924-2075

September 16, 2004

Jeff S. Jordan
Supervisory Attorney
Federal Election Commission
Complaints Examination & Legal Administration
999 E Street, NW
Washington, DC 20463

RE: MUR 5513

Dear Mr. Jordan:

The instant complaint concerns an accusation made through the news media that a third party, Norway Hill Associates, Inc. (Norway Hill), paid for circulators to gather signatures for petitions for Ralph Nader and Peter Camejo's ballot positions in New Hampshire.

These reports came principally from the Manchester Union Leader which reported on August 10, 2004 that Norway Hill had hired individuals to circulate Nader/Camejo nominating petitions.

As shown below, the complaint is incorrect and there have been no violations of election laws or regulations.

The Nader/Camejo campaign in New Hampshire accepted the services of an individual named David Carney to circulate petitions. Mr. Carney hired his own business, Norway Hill, of which he is a shareholder, to assist in gathering signatures for the petitions, as was reported in the Manchester Union-Leader. The campaign was unaware that Mr. Carney had hired Norway Hill because it had assumed Mr. Carney was a volunteer using his own time to assist the campaign.

After reading the article in the Union-Leader, the campaign promptly telephoned Mr. Carney to ask about the suggestion in the article that either he or his company had paid for individuals to circulate petitions. The campaign asked Mr. Carney to discuss the nature of these arrangements. Mr. Carney duly informed counsel and campaign manager Theresa Amato that he hired Norway Hill Associates to gather petitions for the Nader/Camejo campaign in New Hampshire.

In the conversation, the undersigned counsel told Mr. Carney that the campaign must be informed about all payments made by Mr. Carney or others on behalf of the New Hampshire petition drive and that such contributions, depending on the amount, could be a surplus contribution requiring reimbursement by the campaign.

25044121626

Mr. Carney agreed to document to the campaign all expenses that he paid and all costs charged by Norway Hill Associates. He stated that some bills were still outstanding and that he needed to wait until the final receipts were handed in before he could provide a report to the campaign. He complied on September 14, 2004 with a bill from Norway Hill Associates in connection with the petition drive and with a statement of all expenses that he, his wife Lauren Carney, and a third person, James McKay, paid to Norway Hill.

Mr. Carney, Mrs. Carney and Mr. McKay each paid two thousand dollars (\$2,000) to Norway Hill to cover its expenses in connection with the petition drive, as per the checks attached hereto. These payments were within the maximum contribution threshold of \$2,000 per person.

As set forth on the attached invoice dated September 14, 2004, Norway Hill's total bill for its canvassing services was Six Thousand, Two Hundred Sixty-Five Dollars and Five Cents (\$6,265.05), broken down as follows:

Signature Collection -- \$4,148.65
Postage -- 1,749.97
Printing -- 366.43

David Carney, James McKay and Lauren Carney each paid Norway \$2,000. toward this bill as an in-kind contribution to the Nader campaign, leaving a balance due of Two Hundred and Sixty-Five Dollars and Five Cents (\$265.05), which will be promptly paid by the campaign.

As for Mr. Carney, Mr. McKay and Mrs. Carney, they each made a \$2,000 in-kind contribution to the Nader/Camejo campaign; these individual contributions did not exceed the limits for a personal donation. As noted above, the balance of the vendor's bill will be paid by the campaign.

Consequently, there have been no violations of election laws or regulations and the Commission should take no further action on this complaint.

Respectfully submitted,

Bruce I. Afran
my

Bruce I. Afran
Counsel for Nader for President 2004
10 Braeburn Drive
Princeton, New Jersey 08540

Attachments

25044121627

FROM :

FAX NO. :

Sep. 14 2004 01:02PM P2

Norway Hill Associates, Inc**INVOICE**

30 Norway Hill
Hancock, New Hampshire 03449
Phone 603.525.3820 Fax 603.525.3819

DATE:
September 14, 2004

Bill To:

Nader for President 2004 General Election Committee
PO Box 18002
Washington DC 20036
202-265-0092

For:

NH Petition Project

DESCRIPTION	AMOUNT
Signature Collection	\$4,148.65
Postage	\$1,749.97
Printing	\$366.43
Credits	
David M. Carney - personal funds	(\$2,000)
James M. McKay - personal funds	(\$2,000)
Lauren Carney - personal funds	(\$2,000)
TOTAL	\$ 265.05

Make all checks payable to Norway Hill Associates, Inc
If you have any questions concerning this invoice, contact N Lauren Carney at 603-525-3820.

THANK YOU FOR YOUR BUSINESS!

Date

Event

State

NADER/CAMEJO 2004

P.O. Box 18002, Washington, DC 20036
(202) 265-0092 fax | votenader.org

Enclosed is my contribution of:

☒ \$2,000 ☐ \$1,000 ☐ \$500 ☐ \$250 ☐ \$150 ☐ \$100 ☐ \$50 other \$ _____

Contributor Information:

Name and home address are required for contributions of more than \$50.

Name: Lauren Carney

Address: 30 Norway Hill City/State/Zip: Hancock, NH 03449

Work phone: 603.525.3818

Home phone: _____

Fax: _____ Email address: la

Federal law requires that we use our best efforts to collect and report the name, address, occupation, and employer for each individual whose contributions exceed \$200 in a calendar year. Also indicate if retired, homemaker, student, self-employed or unemployed.

Employer: Norway Hill Associates Inc Occupation: partner

☐ Please add me to your email list

☐ Please contact me about volunteering

Method of Payment

☐ Personal check or Money Order enclosed: made payable to "Nader for President 2004" -- no corporate or business checks please

☐ Cash (an individual may not contribute more than \$100 in cash during the entire election cycle)

☐ Credit/Debit Card: ☐ Visa ☐ MasterCard ☐ Discover ☐ American Express ☐ Diner's Club

In kind contribution of printing, postage, petition collection costs.

Credit Card Number: _____ Expiration Date: _____

For credit card contributions: I am making this contribution on my own personal credit card and not with a corporate or business credit card or a credit card issued to anyone else.

Signature: _____ Date: _____

Contribution Guidelines

An individual may contribute a maximum of \$2,000 for the primary election and \$2,000 for the general election, for a total of \$4,000 per person. Joint contributions may be a total of \$4,000 for each of the elections, for a total of \$8,000 per couple. If your contribution is more than the minimum for the primary election, the remaining amount will be redesignated to the general election. Federal Matching funds may double your contribution up to \$250 per person.

Nader for President 2004 does not accept contributions from any political action committee (PAC). Federal law prohibits contributions from corporations, labor organizations, National banks, federal contractors, and foreign nationals not admitted for permanent residence. Contributions must be from personal funds and not reimbursed by another person. Contributions are not tax deductible. For more information, contact contributions@votenader.org

Thanks for your contribution!

Paid for by Nader for President 2004

25044121629

FROM :

FAX NO. :

Sep. 14 2004 01:03PM P4

54-7
114 68

H. LAUREN CARNEY 1205

9-10 2004

Pay To The Order Of Norway Hill Associates \$2000

Two thousand and 00/100 Dollars

BANK OF NEW HAMPSHIRE
A DIVISION OF BANKNORTH, N.A.
300 FRANKLIN STREET
MANCHESTER NH 03101

for maderpet. drive H. Lauren Carney

25044121630

date	event	state
------	-------	-------

NADER / CAMEJO 2004

P.O. Box 18002, Washington, DC 20036
(202) 265-0092 fax | votenader.org

Enclosed is my contribution of:

☒ \$2,000 ☐ \$1,000 ☐ \$500 ☐ \$250 ☐ \$150 ☐ \$100 ☐ \$50 other \$ _____

Contributor Information:

Name and home address are required for contributions of more than \$50

Name: David M. CARNEY
Address: 30 Norway Hill City/State/Zip: Hartford NH 03449
Work phone: 603.545.3820 Home phone: _____
Fax: _____ Email address: _____

Federal law requires that we use our best efforts to collect and report the name, address, occupation, and employer for each individual whose contributions exceed \$200 in a calendar year. Also indicate if retired, homemaker, student, self-employed or unemployed.

Employer: Norway Hill Associates Occupation: CEO

☐ Please add me to your email list ☐ Please contact me about volunteering

Method of Payment

In Kind Payment for Service

☐ Personal check or Money Order enclosed: made payable to "Nader for President 2004" – no corporate or business checks please.

☐ Cash (an individual may not contribute more than \$100 in cash during the entire election cycle)

☐ Credit/Debit Card: ☐ Visa ☐ MasterCard ☐ Discover ☐ American Express ☐ Diner's Club

Credit Card Number: _____ Expiration Date: _____

For credit card contributions: I am making this contribution on my own personal credit card and not with a corporate or business credit card or a credit card issued to anyone else.

Signature: _____ Date: _____

Contribution Guidelines

An individual may contribute a maximum of \$2,000 for the primary election and \$2000 for the general election, for a total of \$4000 per person. Joint contributions may be a total of \$4,000 for each of the elections, for a total of \$8000 per couple. If your contribution is more than the minimum for the primary election, the remaining amount will be redesignated to the general election. Federal Matching funds may double your contribution up to \$250 per person.

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Thanks for your contribution!

Paid for by Nader for President 2004

25044121631

FROM :

FAX NO. :

Sep. 14 2004 01:03PM P6

DAVID M. CARNEY H. LAUREN CARNEY		64-7-114	6229
[REDACTED]		9-10-2004	
Pay To The Order Of	Macy's Hill & Associates Inc.		\$ 2000
[REDACTED]		Dollars	
BANK OF NEW HAMPSHIRE A DIVISION OF BANKNORTH N.A. 300 FRANKLIN STREET MANCHESTER, NH 03101			
[REDACTED]		[REDACTED]	

25044121632

FROM :

FAX NO. :

Sep. 14 2004 01:03PM P7

date:	event	state
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NADER/CAMEJO 2004

P.O. Box 18002, Washington, DC 20036
(202) 265-0092 fax | votenader.org

Enclosed is my contribution of:

☒ \$2,000 ☐ \$1,000 ☐ \$500 ☐ \$250 ☐ \$150 ☐ \$100 ☐ \$50 other \$ _____

Contributor Information:

Name and home address are required for contributions of more than \$50.

Name: JAMES McKay
Address: 2 Teague Drive City/State/Zip: Salem, NH 03079
Work phone: _____ Home phone: _____
Fax: _____ Email address: _____

Federal law requires that we use our best efforts to collect and report the name, address, occupation, and employer for each individual whose contributions exceed \$200 in a calendar year. Also indicate if retired, homemaker, student, self-employed or unemployed.

Employer: Norway Hill Associates Occupation: Owner

☐ Please add me to your email list ☐ Please contact me about volunteering

Method of Payment

☐ Personal check or Money Order enclosed: made payable to "Nader for President 2004" — no corporate or business checks please
☐ Cash (an individual may not contribute more than \$100 in cash during the entire election cycle)
☐ Credit/Debit Card: ☐ Visa ☐ MasterCard ☐ Discover ☐ American Express ☐ Diner's Club

Credit Card Number: _____ Expiration Date: _____

For credit card contributions: I am making this contribution on my own personal credit card and not with a corporate or business credit card or a credit card issued to anyone else.

Signature: _____ Date: _____

* In-Kind Services - Printing, Postage, Petition collection cost

Contribution Guidelines

An individual may contribute a maximum of \$2,000 for the primary election and \$2000 for the general election, for a total of \$4000 per person. Joint contributions may be a total of \$4,000 for each of the elections, for a total of \$8000 per couple. If your contribution is more than the minimum for the primary election, the remaining amount will be redesignated to the general election. Federal Matching funds may double your contribution up to \$250 per person.

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Thanks for your contribution!



Paid for by Nader for President 2004

25044121633

FROM :

FAX NO. :

P. 14 2004 01:04PM PB

JAMES M. MCKAY [REDACTED]		54-49/114 0010107571	1515
		DATE: <u>9-10-04</u>	
PAY TO THE ORDER OF	<u>Norway Hill Associates</u>	\$ <u>2000.00</u>	
	<u>Two thousand</u>	<u>00</u> <u>00</u> DOLLARS	
 Fleet <small>84994 www.fleet.com Dory Crystal Avenue Office Dorcy, New Hampshire 03036</small>			
MEMO	<u>[Signature]</u>		MP

25044121634